CPA

1632 PTO/SB29 (12-97)

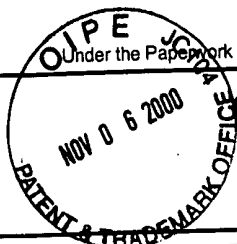Approved for use through 09/30/00. OMB 0651-0032

Please type a plus sign (+) in this box
→

OIPE NOV 0 6 2000 PATENT & TRADEMARK OFFICE

CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, *if applicable:*
☐ DUPLICATE

Address to: **Assistant Commissioner for Patents** **BOX CPA** **Washington, DC 20231**	

Attorney Docket No.	SUV-003.04 (20017-304)
First Named Inventor	Matthew P. Scott
Express Mail Label No.	EL046632542US
Total Pages	2

This is a request for a ☐ continuation or ☒ divisional application under 37 CFR 1.53(d), continued prosecution application (CPA) of a prior application number ___08/916,140___ filed on <u>August 21, 1997</u>, entitled <u>Patched Genes and Uses Related Thereto</u>

NOTES

FILING QUALIFICATIONS: *The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b) and filed on or after June 8, 1995, or (2) the national stage of an international application in compliance with 35 U.S.C. 371 and filed on or after June 8, 1995.*

C-I-P NOT PERMITTED: *A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).*

EXPRESS ABANDONMENT OF PRIOR APPLICATION: *The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.*

ACCESS TO PRIOR APPLICATION: *The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.*

35 U.S.C. 120 STATEMENT: *In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).*

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.

2. ☒ A preliminary amendment is enclosed.

3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).

   a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application: ....
....

   b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.

5. Information Disclosure Statement (IDS) is enclosed:

   a. ☐ PTO-1449

   b. ☐ Copies of IDS Citations

11/09/2000 YPOLITE1 00000052 08916140

01 FC:231   355.00 OP

Burden Hour Statement: this form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond t a collection of information unless it displays a valid OMB control number

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR1.16(c))	-20 =		X $____ =	$
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	-3 +		X $____ =	
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ $____ =	
				BASIC FEE (37 CFR 1.16(a))	
			Total of above Calculations =		
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28)				
				TOTAL =	

6. Small entity status:
   a. ☐ A small entity statement is enclosed.
   b. ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
   c. ☐ Is no longer claimed.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 06-1448 _____ :
   a. ☒ Fees required under 37 CFR 1.16.
   b. ☐ Fees required under 37 CFR 1.17.
   c. ☐ Fees required under 37 CFR 1.18.
8. ☒ A check in the amount of $1050.00   is enclosed.
9. ☐ Other: ....

NOTE: **The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.**

10. NEW CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

Customer No. 25181

(Insert Customer No. or Attach bar code label here)

or ☐ New correspondence address below

NAME	
ADDRESS	
CITY	STATE	ZIP CODE
COUNTRY	TELEPHONE	FAX

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME   Anita Varma, Reg. No. 43,221

SIGNATURE   _Anita Varma_

DATE   November 6, 2000